

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313  
on October 20, 2004

Date of Deposit

Jeffrey M. Nichols, Reg. No. 46,958

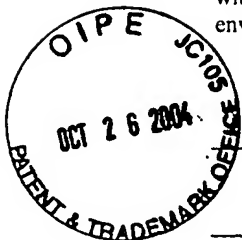
Name of applicant, assignee or  
Registered Representative

*Jeff Nichols*

Signature

October 20, 2004

Date of Signature



Case No. 11855/17

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

Jose A. Capote et al.

Serial No.: 10/820,651

Filed: April 8, 2004

For: Method and Apparatus for  
Treating Waste

Attention: Manager,  
Application Branch

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION  
FILING DATE GRANTED**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Attn.: Mail Stop Missing Parts

Dear Sir:


In accordance with the Notice to File Missing Parts of Application Filing Date Granted dated June 23, 2004, a copy of which is attached, enclosed herewith for filing are the following documents:

- ☒ Fully executed Declaration for Patent Application and Power of Attorney for the above-referenced patent application.
- ☒ Applicant:

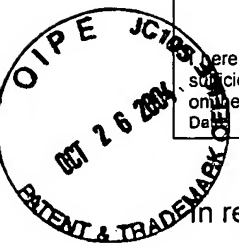
- ☒ claims small entity status. See 37 CFR1.27.
- ☐ is other than small entity
- ☒ Checks totaling \$805 for:
- ☒ Filing Fee of \$395.
- ☒ Surcharge of \$65.
- ☒ Additional Claim Fees of \$90.
- ☒ Recordal of Assignment Fee of \$40.
- ☒ Petition for Extension Fee of \$215.
- ☒ Petition for Extension of Time (37 C.F.R. § 1.136(a)) to file missing parts (in duplicate).
- ☒ Other: Recordal of Assignment and Assignment; and return receipt postcard.
- ☒ The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925. A duplicate copy of this paper is enclosed.

Respectfully submitted,

Dated: Oct. 20, 2004

  
\_\_\_\_\_  
Jeffrey M. Nichols  
Registration No. 46,958  
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
(312)321-4200



## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on or before the date: October 20, 2004 Name: Jeffrey M. Nichols, Reg. No. 46,958 Signature: Jeff Nichols

BRINKS  
HOFER  
GILSON  
& LIONE

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Jose A. Capote et al.

Appln. No.: 10/820,651

Filed: April 8, 2004

For: Method and Apparatus for Treating Waste

Attorney Docket No: 11855/17

Examiner: To Be Assigned

Art Unit: 3749

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Response to Notice to File Missing Parts (in dup.); copy of Notice to File Missing Parts; Declaration; Power of Attorney; Petition for Extension (in dup.); Recordal of Assignment (in dup.); Assignment; \$550 check for Filing Fee (\$395), Surcharge (\$65), and Additional Claim Fees (\$90); \$40 check for Recordal of Assignment Fee; \$215 check for Petition for Extension Fee

- ☒ Return Receipt Postcard

## Fee calculation:

- ☐ No additional fee is required.
- ☒ Small Entity.
- ☒ An extension fee in an amount of \$215 for a two-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A petition or processing fee in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.17(\_\_\_\_\_).
- ☐ An additional filing fee has been calculated as shown below:

|                                           |                                  |       |                                 |               | Small Entity |           |    | Not a Small Entity |           |
|-------------------------------------------|----------------------------------|-------|---------------------------------|---------------|--------------|-----------|----|--------------------|-----------|
|                                           | Claims Remaining After Amendment |       | Highest No. Previously Paid For | Present Extra | Rate         | Add'l Fee | or | Rate               | Add'l Fee |
| Total                                     |                                  | Minus |                                 |               | x \$9=       |           |    | x \$18=            |           |
| Indep.                                    |                                  | Minus |                                 |               | x 43=        |           |    | x \$86=            |           |
| First Presentation of Multiple Dep. Claim |                                  |       |                                 |               | +\$145=      |           |    | +\$290=            |           |
|                                           |                                  |       |                                 |               | Total        | \$        |    | Total              | \$        |

## Fee payment:

- ☒ Checks in the amount of \$550 for Filing Fee (\$395), Surcharge (\$65), and Additional Claim Fees (\$90); \$40 for Recordal of Assignment Fee; and \$215 for Petition for Extension Fee are enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

Jeff Nichols

Jeffrey M. Nichols (Reg. No. 46,958)

October 20, 2004  
Date

IFWJA



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

| APPLICATION NUMBER | FILING OR 371 (c) DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|------------------------|-----------------------|------------------------|
| 10/820,651         | 04/08/2004             | Jose A. Capote        | 11855/17               |

00757  
 BRINKS HOFER GILSON & LIONE  
 P.O. BOX 10395  
 CHICAGO, IL 60610



CONFIRMATION NO. 8498

## FORMALITIES LETTER



\*OC000000013041266\*

Date Mailed: 06/23/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$90 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

10/27/2004 BABRAHA1 00000015 10620651

01 FC:2001  
 02 FC:2051  
 03 FC:2202

395.00 OP  
 65.00 OP  
 90.00 OP

Total additional fee(s) required for this application is \$540 for a Small Entity

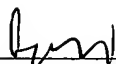
- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.
- Total additional claim fee(s) for this application is \$90

- \$90 for 10 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice **MUST** be returned with the reply.*

  
\_\_\_\_\_  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE